



In the
Indiana Supreme Court

IN THE MATTER OF THE)
)
APPROVAL OF LOCAL RULES) Case No. 45S00-1011 -MS-636
)
FOR LAKE COUNTY)

ORDER APPROVING AMENDED LOCAL RULES

The judges of the Lake Circuit and Superior Courts request the approval of amended local rules for: caseload allocation in accordance with Ind. Administrative Rule 1(E), appointment of special judges in accordance with Ind. Trial Rule 79 and Ind. Criminal Rule 13, and regulation of court reporter services in accordance with Ind. Administrative Rule 15. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Lake Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR45-AR1-1, LR-45-T.R.79-15, LR 45-C.R.2.2-1, and LR45-AR 15-4, comply with the requirements of Ind. Administrative Rule 1(E), Ind. Trial Rule 79, Ind. Criminal Rule 13, and Ind. Administrative Rule 15, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Lake County Local Rules, LR45-AR1-1, LR-45-T.R.79-15, LR 45-C.R.2.2-1, and LR45-AR 15-4, set forth as an attachment to this Order, are approved effective January 1, 2011, provided further that the rules shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Lorenzo Arredondo, Lake Circuit Court, 2293 North Main Street, Crown Point, IN 46307-1854; the Hon. Mary Beth Bonaventura, Lake Superior Court, 3000 West 93rd Avenue, Crown Point, IN 46307; the Hon. Diane Boswell, Lake Superior Court, 2293 North Main Street, Crown Point, IN 46307-1854; the Hon. Julie N. Cantrell, Lake Superior Court, 2293 North Main Street, Crown Point, IN 46307-1854; the Hon. William E. Davis, Lake Superior Court, 232 Russell Street, Hammond, IN 46320; the Hon. Jeffery J. Dywan, Lake Superior Court, 2293 North Main Street, Crown Point, IN 46307; the Hon. Calvin D. Hawkins, Lake Superior Court, 3711 East Main Street, East Chicago, IN 46312-

2299; the Hon. Sheila M. Moss, Lake Superior Court, 2293 North Main Street, Crown Point, IN 46307-1854; the Hon. Clarence D. Murray, Lake Superior Court, 2293 North Main Street, Crown Point, IN 46307; the Hon. John R. Pera, Lake Superior Court, 2293 North Main Street, Crown Point, IN 46307; the Hon. Nicholas J. Schiralli, Lake Superior Court, 2293 North Main Street, Crown Point, IN 46307-1854; the Hon. Diane Kavadias Schneider, Lake Superior Court, 232 Russell Street, Hammond, IN 46320; the Hon. Thomas P. Stefaniak, Jr., Lake Superior Court, 2293 North Main Street, Crown Point, IN 46307-1854; the Hon. Gerald N. Svetanoff, Lake Superior Court, 15 West Fourth Avenue, Gary, IN 46402-1238; the Hon. Elizabeth Tavitas, Lake Superior Court, 15 West Fourth Avenue, Gary, IN 46402-1284; the Hon. Salvador Vasquez, Lake Superior Court, 2293 North Main Street, Crown Point, IN 46307-1854; the Hon. Jesse M. Villalpando, Lake Superior Court, 232 Russell Street, Hammond, IN 46320-1877; to the Clerk of the Lake Circuit Court; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Lake Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 12th day of November, 2010.

Randall T. Shepard
Randall T. Shepard
Chief Justice of Indiana

LAKE COUNTY ADMINITRATIVE RULES

LR45-AR1-1. **Caseload Allocation Rule**

Pursuant to TR 81(A), the Lake Circuit/Superior Court adopts this Rule governing the assignment of cases as required by and in compliance with Administrative Rule 1(E). This Rule shall be effective January 1, 2011.

I. Criminal Case Assignments

Criminal cases shall be assigned pursuant to LR45-C.R.2.2-1, except as provided in Section III of this Rule.

II. Allocation of Judicial Officers

To comply with the requirement that the utilization variance between all courts of record in Lake County not exceed forty (40) percentage points, the Court has adopted the allocation of judicial officers set forth in Table 1.

TABLE 1

COURT	JUDICIAL OFFICERS ASSIGNED 2009 PLAN	JUDICIAL OFFICERS ASSIGNED UNDER 2011 PLAN
Criminal Division 1 G01	1.3	1.5
Criminal Division 2 G02	1.3	1.5
Criminal Division 3 G03	1.3	1.5
Criminal Division 4 G04	1.3	1.5
Circuit Court C01	3.7	3.4
Civil Division 1 D01	1.4	1.2
Civil Division 2 D02	1.4	1.2
Civil Division 3 D03	3	3
Civil Division 4 D04	1.4	1.2
Civil Division 5 D05	1	1
Civil Division 6 D10	1	1
Civil Division 7 D11	1	1
Juvenile Court D06	6.5	7.5
County Division 1 D07	2	2
County Division 2 D08	2.8	2.3
County Division 3 D09	2.6	2.4
County Division 4 D12	1.4	1.3

III. Random Filing

The following case types shall be filed as follows:

1. Random filing of PL, CT, MF, and MI cases in the Circuit Court and the Civil Division, Rooms 1, 2, 4, 5, 6 and 7.
2. Random filing of CC and PO cases in the Circuit/Civil Division Courts by court location.
3. With respect to PO cases in Crown Point, the Circuit Court hears all cases where there is a pending or concluded DR case in the Circuit Court. All other PO cases are randomly filed between the Circuit Court and Civil Division Courts.
4. The Superior Court will also continue the practice of assigning CT and PL cases equally amongst the members of the Superior Court, pursuant to the court order of May 7, 2010.
5. Random filing of FD cases will also be initiated between the 4 Criminal Division and 4 County Division Courts with the Court maintaining sole discretion over the filing of FD cases in the Superior Court.

IV. Divisional Equalization

1. IF cases in 2011 will no longer be filed in County Division 2. There will also be reduced filing of IF cases in County Division 4. The breakdown of IF filings for the 2011 Caseload Allocation plan shall be as follows:

County Division 1 – D07 will receive **60%** of all IF cases filed in the Superior Court.

County Division 2 – D08 will not have new IF cases filed.

County Division 3 – D09 will receive **25%** of all IF cases filed in the Superior Court.

County Division 4 - D12 will receive **15%** of all IF cases filed in the Superior Court.

2. The 2011 Caseload Allocation plan returns all SC cases filed in Hammond to County Division 4. These cases will no longer be assigned to Civil Division 5 in Hammond.
3. The current filing pattern in the County Division, which calls for an additional 350 CM cases be filed in County Division 1, will be maintained.
4. 50 additional PL cases and 42 additional CT cases will be assigned to Civil Division 4 and Civil Division 5.

L.R. 45-T.R.79-15. Appointment of Special Judge

A. If a motion for change of Judge is granted in a case or an order of disqualification is entered in a case, and a special judge is not appointed and qualified as provided in Trial Rule 79(D), (E) or (F), a special judge shall be appointed from the list of eligible persons on a rotating basis.

B. This rule shall have no application to the selection of a special judge in a Post Conviction Relief petition. The rules of Criminal Procedure and the Local Rules of the Lake Superior Court, Criminal Division, shall apply in said instance.

C. The lists of eligible persons shall be maintained in the office of the Lake Superior Court Administrator (Administrator). When it becomes necessary to select a special judge from said lists, the following procedure shall be followed:

1. The judge who submitted the panel from which the special judge did not accept the appointment shall immediately contact the Administrator for the name of the next available person. The Administrator shall provide a name from the attached lists on a rotating basis beginning with the first name on the list for the particular case category.

2. The selected person appointed to serve under this local rule must accept jurisdiction unless disqualified under circumstances set out in the Rules of Trial Procedure 79(H). The order of appointment by the regular judge shall constitute acceptance. An oath or additional evidence of acceptance is not required.

Case Designation-PL

George Paras
Richard McDevitt
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavitass
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett
Nicholas J. Schiralli
Katherine Paras
Sheila Moss
Kathy Belzeski
Julie N. Cantrell
Michael Pagano
Jesse Villalpando

Case Designation -CT

George Paras
Richard McDevitt
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavitass
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett
Nicholas J. Schiralli
Katherine Paras
Sheila Moss
Kathy Belzeski
Julie N. Cantrell
Michael Pagano
Jesse Villalpando

Case Designation-MF

George Paras
Richard McDevitt
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavitass
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett
Nicholas J. Schiralli
Katherine Paras
Sheila Moss
Kathy Belzeski
Julie N. Cantrell
Michael Pagano
Jesse Villalpando

Case Designation-CC

George Paras
Richard McDevitt
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavitass
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett
Nicholas J. Schiralli
Katherine Paras
Sheila Moss
Kathy Belzeski
Julie N. Cantrell
Michael Pagano
Jesse Villalpando

Case Designation -DR

George Paras
Cheryl Williamson
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavit
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett

Case Designation-MH

George Paras
Richard McDevitt
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavit
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett
Nicholas J. Schiralli
Katherine Paras
Sheila Moss
Kathy Belzeski
Julie N. Cantrell
Michael Pagano
Jesse Villalpando

**Case Designation
EU/GU/TR**

George Paras
Richard McDevitt
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavit
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett
Nicholas J. Schiralli
Katherine Paras
Sheila Moss
Kathy Belzeski
Julie N. Cantrell
Michael Pagano
Jesse Villalpando

**Case Designation
AD/AH**

George Paras
Richard McDevitt
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavit
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett
Nicholas J. Schiralli
Katherine Paras
Sheila Moss
Kathy Belzeski
Julie N. Cantrell
Michael Pagano
Jesse Villalpando

Case Designation-MI

George Paras
Richard McDevitt
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavit
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett
Nicholas J. Schiralli
Katherine Paras
Sheila Moss
Kathy Belzeski

Case Designation -JP

George Paras
Richard McDevitt
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavit
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett
Nicholas J. Schiralli
Katherine Paras
Sheila Moss
Kathy Belzeski

**Case Designation -
JD/JS/JM**

George Paras
Richard McDevitt
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavit
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett
Nicholas J. Schiralli
Katherine Paras
Sheila Moss
Kathy Belzeski

Case Designation -JC/JT

George Paras
Richard McDevitt
Diane Kavadias-Schneider
Calvin Hawkins
Elizabeth Tavit
Gerald N. Svetanoff
William E. Davis
John R. Pera
Jeffery J. Dywan
Nanette Raduenz
Thomas P. Hallett
Nicholas J. Schiralli
Katherine Paras
Sheila Moss
Kathy Belzeski

Julie N. Cantrell
Michael Pagano
Jesse Villalpando

Julie N. Cantrell
Michael Pagano
Jesse Villalpando
Mary Beth Bonaventura
Glenn Commons
Jeffrey Miller
Charlotte Peller
Gregory Gillis
John Sedia
Katie Garza

Julie N. Cantrell
Michael Pagano
Jesse Villalpando
Mary Beth Bonaventura
Glenn Commons
Jeffrey Miller
Charlotte Peller
Gregory Gillis
John Sedia
Katie Garza

Julie N. Cantrell
Michael Pagano
Jesse Villalpando
Mary Beth Bonaventura
Glenn Commons
Jeffrey Miller
Charlotte Peller
Gregory Gillis
John Sedia
Katie Garza

L.R. 45-C.R.2.2-1. Local Rule for the Assignment of Criminal and Quasi Criminal Cases in all City, Town, County and Criminal Division Courts in Lake County

All infractions misdemeanors and felonies not filed by the prosecuting attorney in the city or town courts of the circuit shall be filed, assigned, and reassigned only in accordance with this rule. The terms "charges" and "offenses," as used herein, means ordinances, infractions, misdemeanors and felonies, unless otherwise specified.

A. Filing.

1. Except as otherwise provided, unless the prosecuting attorney elects to file a misdemeanor or infraction charge in a city or town court, all misdemeanors or infraction charges shall be filed in the county division of the superior court.
2. All murder, Class A, B and C felonies shall be filed in the criminal division.
3. Except as otherwise provided, the clerk shall file all Class D Felonies pursuant to the Weighted Caseload Plan then in effect as adopted by the Lake Superior and Circuit Courts
4. If a defendant who is being charged with a Class D felony is on probation to the county division, has other charges pending in the county division, or has previously been sentenced in the county division for an offense, then the Class D felony shall be filed in the county division.
5. If a defendant who is being charged with a Class D felony is on probation to the criminal division, has other charges pending in the criminal division, or has previously been sentenced in the criminal division for an offense, then the Class D felony shall be filed in the criminal division.
6. Notwithstanding the filing requirements above, all charges involving multiple offenses or defendants shall be filed in the same court as one another if the charges arise from:
 - a. a single act;
 - b. a series of acts connected together or constituting parts of a single scheme or plan;
 - c. a conspiracy; or,
 - d. a number of offenses so closely connected in respect to time, place, and occasion that it would be difficult to separate proof of one offense from proof of the others.
 - e. it is the intent of this subsection that in the event that a defendant has multiple cases or an alleged crime involves multiple defendants, one judge will hear all the pending matters.
7. Except as otherwise provided, and whenever possible, charges which have previously been filed and dismissed may only be refiled in the same division. This includes all charges arising out of the same offense report, arrest report, or set of operative facts.

B. Assignment.

1. Charges shall be assigned within a division according to the following rules, which are listed in order of precedence:
 - a. Charges involving multiple offenses or defendants shall be assigned to the same judge if the charges arise from:
 - (1) a single act;
 - (2) a series of acts connected together or constituting parts of a single scheme or plan;
 - (3) a conspiracy; or,
 - (4) a number of offenses so closely connected in respect to time, place, and occasion that it would be difficult to separate proof of one offense from proof of the others.

- b. Charges filed against defendant who has other charges pending shall be assigned to the judge handling the pending charges.
 - c. Charges filed against a defendant who has previously been sentenced by a judge shall be assigned to that same judge. If the defendant has previously been sentenced by more than one judge of the division, then the case shall be assigned to the judge who still has jurisdiction over the defendant through probation, if applicable, or else to the judge who sentenced the defendant most recently.
 - d. Charges against a defendant who has previously been a defendant in the division shall be assigned to the same room of the division.
 - e. If more than one defendant in a new case has other charges pending before separate judges within the same division, the new case shall be assigned to the judge with the greater number of cases pending against all codefendants in the case. If the number of such pending cases is equal for two or more judges, then the case shall either be randomly assigned to one of those judges or else be assigned to the judge whose cases are closer to disposition at the time of the new filing.
 - f. Charges filed in the county division involving violations of IC 35-48 shall be assigned to Room 2 of that division if the defendant is a resident of the city of Gary or the offense is alleged to have occurred in Gary.
 - g. All other cases shall be randomly assigned so that the assignment of all criminal cases to judges within a division is kept relatively equal.
2. Charges which have been dismissed and refiled shall be assigned to the same judge who had jurisdiction of the charges when they were dismissed. This includes all charges arising out of the same offense report, arrest report, or set of operative facts.

C. Reassignment.

- 1. If a motion for change of judge is granted in a felony or misdemeanor case or an order of disqualification or recusal is entered in a felony, misdemeanor, infraction or ordinance case, then the case shall be reassigned to a special judge outlined below.
- 2. Only the presiding judge of each court is eligible to become a special judge.
- 3. A special judge shall be appointed from a list of eligible presiding judges on a rotating basis in each of the following case categories: OE, OV, IF, CM, FD, FC, FB, FA, MR, MC. Each judge may also choose to limit the number of categories for which that judge will be eligible to hear special judge cases. However, judges of city or town courts shall only be eligible to hear CM, IF, OV or OE cases and will not be eligible to serve as special judges in the case of Trials de Novo or Appeals from other city or town courts.
- 4. The lists of eligible persons shall be maintained in the office of the Lake Superior Court Administrator (hereafter Administrator) and regularly updated. When it becomes necessary to select a special judge from said lists, the following procedure shall be followed:
 - a. The judge who has recused or granted a motion for change of judge shall contact the Administrator for the name of the next available judge. The Administrator shall provide to that judge a name from the list on a rotating basis beginning with the first

name on the list for the particular case category. The disqualified judge shall then issue an order notifying the special judge that he or she has been appointed. The city or county clerk's office shall then send the complete case file to the clerk's office servicing the special judge. No transfer fees shall be assessed.

- b. The selected special judge to serve under this local rule must accept jurisdiction unless disqualified under circumstances set out in the Rules of Trial Procedure 79(H). Should the special judge be required to recuse, the special judge shall follow the procedures outlined above in Rule C (4)(a). Judges who have previously recused or were disqualified shall no longer be eligible as a special judge in that particular case. The order of appointment by the regular judge shall constitute acceptance. An oath or additional evidence of acceptance is not required.
 - c. If no judge from the list qualifies, the final judge that recuses shall petition the Supreme Court for the appointment of a special judge pursuant to Ind. Criminal Rule 13(D), for criminal cases, and/or Ind. Trial Rules 79(H)(3) and (K), for infraction or ordinance cases.
5. Motions for change of judge as of right (as opposed to recusal or disqualification) for infractions and ordinance cases shall continue to be governed by the Indiana Rules of Trial Procedure and nothing in this rule shall be read to conflict with those Rules.
6. Any protective order entered by the regular judge shall remain in full force and effect until addressed by the special judge, the judge receiving the case via transfer or the judge receiving the case upon filing of a Petition for Trial De Novo or Appeal from a city or town court.

D. Trials de Novo or Appeals from City or Town Courts

1. Upon filing a request for a Trial de Novo or Appeal from a city or town court for a misdemeanor, infraction or ordinance case and the posting of a bond, if required by the Trial de Novo Rules or by statute, the county division clerk shall randomly assign the case to the appropriate court of the county division pursuant to section B of this rule as if the case were a newly filed charge.
2. The clerk of the county division shall notify the city or town court from which a Trial de Novo or Appeal is sought as to the filing of the Trial de Novo or Appeal and whether a bond was posted in a misdemeanor case. The posting of a bond with the county division clerk for a misdemeanor case shall stay the execution of the sentence imposed by the city or town court. Bond shall be set

pursuant to the bond schedule. With the consent of the city or town court, a bond originally posted in the city or town court may be transferred to the county division clerk and utilized as a Trial de Novo or Appeal bond.

3. No judge of the county division may decline the assignment of a Trial de Novo or Appeal from a city or town court unless retaining jurisdiction by the county division judge would violate the Code of Judicial Conduct. Upon a proper recusal, the procedures outlined in Sec. C of this rule shall be followed, however, no judge of a city or town court will be eligible to be a special judge of a Trial de Novo or Appeal from a city or town court; rather, if a city or town court judge is next on the list of special judges, the Administrator shall appoint the next judge on the list who is NOT a city or town court judge.

E. Transfers.

1. This rule shall not prohibit a town, city or superior court from transferring a case from one court to another. This rule shall also not be understood to encourage or permit the transfer of a case merely on the agreement of the prosecution and defense.
2. Pursuant to Ind. Criminal Rule 2.3, any reassignment of a case from a city or town court to the county division that does not involve the recusal of a city or town court judge or the filing of a petition for trial de novo or appeal, constitutes a transfer that requires the acceptance of a county division judge. Such acceptance must be obtained prior to the entry of any order to transfer from a city or town court.

F. Form Order

Court orders concerning the reassignment of any criminal or quasi criminal case must specifically indicate the reason for the reassignment. Such an order should be similar to that reproduced below:

Judge

L.R. 45-AR 15-4 Court Reporter Services

I. Definitions

- A. *A court reporter* is a person who is designated by a court, division or room to perform court reporting services, including the preparation of transcripts.
- B. *Equipment* means all physical property owned by the court or other government entity and used by a court reporter in providing court reporting services. Equipment shall include, but not be limited to, telephones, photocopiers, computer hardware and software, disks, tapes, and any other device for recording, storing, and transcribing electronic data.
- C. *Work space* means those portions of court facilities used by a court reporter while providing court reporting services.
- D. *Page* means the page unit of a transcript prepared in accordance with the Indiana Rules of Appellate Procedure.
- E. *Recording* includes any electronic, mechanical, stenographic or other recording of a proceeding.
- F. *Regular hours worked* means the hours that a court, division or room is officially open each work week.
- G. *Gap hours worked* means those hours worked in excess of the regular hours worked, but not hours in excess of forty hours per work week.
- H. *Overtime hours worked* means those hours worked in excess of forty hours per work week.
- I. *A work week* means Sunday through Saturday.
- J. *Court* means the Circuit and/or Superior Courts of Lake County, including all civil, county, criminal and juvenile divisions.
- K. *Division* means the civil, county, criminal or juvenile division of the court.
- L. *Room* means an individual courtroom of a division of the court.
- M. *Transcript* means the original of the transcription of a proceeding. Under the rules of trial, criminal and appellate procedure, the original is usually filed with the clerk of the court.

Deposition transcript means the original and one copy of the transcription of a proceeding. The original and one copy is provided to the requesting party.

- N. An *expedited transcript* is a transcript which is required to be delivered to a requesting party within fifteen (15) calendar days.
- O. A *daily transcript* is a transcript which is required to be delivered to a requesting party within twenty-four (24) hours.
- P. An *hourly transcript* is a transcript which is required to be delivered to a requesting party within the same day.
- Q. *County indigent transcript* means a transcript that is paid for from county funds.
- R. *State indigent transcript* means a transcript paid for from state funds.
- S. *Private transcript* means a transcript, including but not limited to a deposition transcript, that is paid for from funds other than county or state funds.
- T. *Independent transcript* means a transcript that is prepared by a *contract transcriber*.
- U. In a court, division or room currently without a court reporter on its payroll or assigned for the court's use, whose duties include the preparation of transcripts, a *contract transcriber* is a person not on a court's payroll, but who is designated by a court, division or room, pursuant to a memorandum of understanding consistent with the requirements of Administrative Rule 15, to prepare transcripts and who is prohibited from using court or county equipment, work space or supplies.

II. Compensation

- A. A court reporter shall be paid an annual salary for time spent working under the control, direction and direct supervision of the court, a division or a room during any regular work hours, gap hours or overtime hours. A written agreement consistent with the personnel policies of the court reporter's division which outlines the manner in which the court reporter is to be compensated for gap hours and overtime hours worked shall be entered into between a court reporter and the court, division or courtroom for which the court reporter provides services.
- B. The fee that a court reporter or contract transcriber may charge for the preparation of a county indigent transcript four dollars (\$4.00) per page.
- C. A claim for the preparation of a county indigent transcript shall be submitted directly to the county.

D. The fee that a court reporter or contract transcriber may charge for the preparation of a state indigent transcript four dollars (\$4.00) per page.

E. The fee that a court reporter or contract transcriber may charge for the preparation of an indigent deposition transcript is four dollars (\$4.00) per page.

The fee that a court reporter or contract transcriber may charge for the preparation of a private deposition transcript is four dollars and twenty-five cents (\$4.25) per page.

F. The fee that a court reporter or contract transcriber may charge for the preparation of all other private transcripts is four dollars and fifty cents (\$4.50) per page, with a minimum fee of forty dollars (\$40.00).

G. The fee that a court reporter or contract transcriber may charge for an additional copy of a transcript two dollars (\$2.00) per page.

H. A court reporter or contract transcriber may charge up to an additional one dollar (\$1.00) per page for an expedited county transcript.

I. A court reporter or contract transcriber may charge up to an additional one dollar and fifty cents (\$1.50) per page for an expedited private transcript.

J. A court reporter or contract transcriber may charge up to an additional two dollars and fifty cents (\$2.50) per page for a daily transcript.

K. A court reporter or contract transcriber may charge up to an additional three dollars and fifty cents (\$3.50) per page for an hourly transcript.

L. A court reporter or contract transcriber may charge up to an additional one dollar and 25 cents- (\$1.25) per page for a private transcript consisting primarily of technical testimony.

M. A court reporter or contract transcriber may charge up to an additional one dollar (\$1.00) per keyword index page for a private or indigent transcript with a keyword index.

N. A court reporter or contract transcriber may charge up to an additional twenty-five cents (\$0.25) per page for a private or indigent transcript which is printed in a condensed format.

O. A court reporter or contract transcriber may charge thirty cents (\$0.30) per page for photocopying of exhibits for private transcripts.

- P. A court reporter or contract transcriber may charge an additional labor charge approximating an hourly rate based upon the court reporter's annual court compensation or contract transcriber's hourly rate of pay for the time spent binding the transcript and the exhibits pursuant to Indiana Rules of Appellate Procedure 28 and 29.
- Q. A court reporter or contract transcriber shall be reimbursed for the cost of office supplies required and utilized for the binding and electronic transmission of the transcript, pursuant to Indiana Rules of Appellate Procedure 28 and 29, as itemized in the "Schedule of Supplies".
- R. The county shall provide supplies for the preparation of notices of filing private transcripts and motions for extension.
- S. At least once each year a court reporter shall report all transcript fees received to the Indiana Supreme Court, Division of State Court Administration.

III. Private Practice

- A. If a court reporter elects to engage in private practice through the recording of a deposition or preparing of a deposition transcript and the court reporter desires to use the court's equipment, work space or supplies, the court reporter shall enter into a written agreement which must, at a minimum, designate the following:
 - 1. the reasonable market rate for the use of the equipment, work space and supplies;
 - 2. the method by which records are to be kept for the use of equipment, work space and supplies; and,
 - 3. the method by which the court reporter is to reimburse the court for the use of equipment, work space and supplies.
- B. If the court reporter elects to engage in private practice through the recording of a deposition or preparing of a deposition transcript, all such private practice shall be conducted outside of regular working hours.

Pursuant to local rule governing court reporter and contract transcriber provisions in the Circuit and Superior Courts of Lake County, Indiana, on July 15, 2010, the Circuit and Superior Court Judges approved all foregoing amendments to Local Rule Pursuant to Administrative Rule 15, approved by the Supreme Court on March 8, 2002.